

**PENNIE & EDMONDS LLP**  
3300 Hillview Avenue, Pal Alto, CA 94304  
(650) 493-4935 Fax: (650) 493-5556

**COPY**

**TELEFACSIMILE MESSAGE**

Name of Sender: Victor K. Lee

Date: March 18, 1998

Pages (including this page) 9

Our Reference: 8907-057-999

Name/ Title of Recipient	Department/ Company/Firm Address	Facsimile Number	Your Reference
Examiner F. Vandervegt	Art Unit 1816 U.S. Patent and Trademark Office	703-305-7401	

Confirmation Copy Will ☐ Will Not ☒ follow.

RE: U.S. Application Serial No. 08/852,495  
Filed: May 7, 1997  
For: POLYMORPHISMS IN THE REGION OF  
THE HUMAN HEMOCHROMATOSIS GENE

Dear Examiner Vandervegt:

Per your request, transmitted herewith is a copy of the Certificate Under 37 C.F.R. § 3.73(b) and Revocation and Power of Attorney mailed to the Patent Office on March 3, 1998.

Please feel free to call us if we may be of further assistance.

Very truly yours,



Victor K. Lee

If you have any problems regarding this transmission, please contact: Victor K. Lee at Ext. 7703

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END PAGE 1

Express Mail No.: EM 202 006 284 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: *Ruddy et al.*

Serial No.: 08/852,495

Group Art Unit: to be assigned

Filed: May 7, 1997

Examiner: to be assigned

For: POLYMORPHISMS IN THE  
REGION OF THE HUMAN  
HEMOCHROMATOSIS GENE

Attorney Docket No.:  
8907-0057-999

**TRANSMITTAL OF CERTIFICATE UNDER 37 C.F.R. § 3.37(b)**  
**AND REVOCATION AND POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants respectfully request that the attached Certificate Under 37 C.F.R. §3.73(b) and Revocation and Power of Attorney be filed in connection with the above-captioned application. Applicants believe that no fee is required at this time.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Pennie & Edmonds LLP Deposit Account No. 16-1150 for any matter in connection with this transmittal.

Respectfully submitted,

Date March 3, 1998

Brian M. Poissant  
Brian M. Poissant

*by Victor A. [Signature]*  
Reg. No. 35,750  
S 28,462  
(Reg. No.)

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosure

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant of: Ruddy *et al.*

Serial No.: 08/852,495

Group Art Unit: to be assigned

Filed: May 7, 1997

Examiner: to be assigned

For: POLYMORPHISMS IN THE  
REGION OF THE HUMAN  
HEMOCHROMATOSIS GENE

Attorney Docket No.:  
8907-0057-999

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**  
**AND REVOCATION AND POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of undersigned's knowledge and belief, title is in the assignee identified below. Attached hereto is a copy of the Notice of Recordation of Assignment Document for the above-identified application.

MERCATOR GENETICS, INC., a California corporation, having its principal place of business located at 4040 Campbell Avenue, Menlo Park, California, 94025, certifies that, subject to certain rights of the U.S. government, it is the assignee and owner of the entire right, title and interest in, to and under the invention described and claimed in the above-identified application, and hereby revokes all previous Powers of Attorney granted in this application and appoints the following attorneys:

S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No.

24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Ann L. Gisolfi (Reg. No. 31956), Mark A. Farley (Reg. No. 33170), and James G. Markey (Reg. No. 31636), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, its attorneys,

to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please direct all correspondence, telephone calls and facsimile  
transmissions to:

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(650) 493-4935 - Telephone  
(650) 493-5556 - Facsimile

MERCATOR GENETICS, INC

Date: 2/27/98

By: D. Given  
Name: Douglass B. Given  
Title: President

FILE COPY

Express Mail No. EM 202 006 284 US First Class Mail ( )  
 Date Mailed March 3, 1998  
 Ser. No. 08/852,495 Filed May 7, 1997  
 Inventor Ruddy et al.  
 For POLYMORPHISMS IN THE REGION OF THE HUMAN  
HEMOCHROMATOSIS GENE

- |  |  |
|--|--|
| <input type="checkbox"/> Affidavit/Declaration                             | <input type="checkbox"/> Fee Address Indication Form                       |
| <input type="checkbox"/> Amendment   | <input type="checkbox"/> Fee Calculation                                   |
| <input type="checkbox"/> Application <u>Pages</u>                          | <input type="checkbox"/> Issue Fee Transmittal                             |
| <input type="checkbox"/> <u>Claims</u> <u>Drawings</u>                     | <input type="checkbox"/> Letter  |
| <input type="checkbox"/> Appeal, Notice of                                 | <input type="checkbox"/> Oral Hearing Req./Confirm.                        |
| <input checked="" type="checkbox"/> Assignment <u>documentation (copy)</u> | <input type="checkbox"/> Petition to Extend Time                           |
| <input type="checkbox"/> Brief (in triplicate)                             | <input type="checkbox"/> Pet. under 37 C.F.R.                              |
| <input type="checkbox"/> Declaration & Power of Attorney                   | <input checked="" type="checkbox"/> Power of Attorney & Cert 37CFR3.73 (b) |
| <input type="checkbox"/> Design Application                                | <input type="checkbox"/> Associate <u>X</u> w/Revocation                   |
| <input type="checkbox"/> Disclaimer  | <input type="checkbox"/> Sequence Listing w/Computer                       |
| <input type="checkbox"/> Disclosure Statement                              | <input type="checkbox"/> Readable and Paper Copies                         |
| <input type="checkbox"/> w/refs. <input type="checkbox"/> w/o refs.        | <input type="checkbox"/> Small Entity Statement                            |
| <input type="checkbox"/> Drawings Formal                                   | <input type="checkbox"/> Status Letter                                     |
| <input type="checkbox"/> <u>Sheets</u> <u>Figures</u>                      | <input checked="" type="checkbox"/> Transmittal Letter (dupl.)             |

Other: Return postcard

File No. 8907-057-999 Sender: BMP/VKL/pds



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

08/852495

05/07/97

RUDDY

17957-000110

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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RENEE A FITTS  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
8TH FLOOR  
SAN FRANCISCO CA 94111-3834

VANDERVEGT, FRA

EXAMINER

1644

ART UNIT

PAPER NUMBER  
03/24/98

DATE MAILED:

03/03/98

This is in response to the Power of Attorney filed \_\_\_\_\_.

- ☐ 1. The Power of Attorney to you in this application **has been revoked** by the applicant. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.
- ☒ 2. The Power of Attorney to you in this application **has been revoked** by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record. (37 CFR 1.33).
- ☐ 3. The withdrawal as attorney in this application **has been accepted**. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

*Sedmi Dornan*

This is a communication from the  
Patent and Trademark Office

- ☐ 4. The Power of Attorney in this application **is accepted**. Correspondence in this application will be mailed to the below-noted address as provided by 37 CFR 1.33.
- ☒ 5. The Power of Attorney in this application **is not accepted** for the reason(s) checked below:
- ☐ a. The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73 (b) has not been received.
- ☐ b. The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ c. The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ d. The signature of \_\_\_\_\_, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor.
- ☐ e. The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent & Trademark Office.
- ☐ f. The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.

FENNIE AND EDMONDS LLP  
1155 AVENUE OF THE AMERICAS  
NEW YORK,  
NEW YORK NY 10036-3711

*Sedmi Dornan*

This is a communication from the  
Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

2AF

JANUARY 13, 1998

PTAS  
TOWNSEND AND TOWNSEND AND CREW LLP  
RENEE A. FITTS  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94111-3834



\*100581245A\*

8907-057-999

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/19/1997

REEL/FRAME: 8813/0560

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

RUDDY, DAVID A.

DOC DATE: 11/11/1997

ASSIGNOR:

WOLFF, ROGER K.

DOC DATE: 11/07/1997

ASSIGNEE:

MERCATOR GENETICS, INC.  
4040 CAMPBELL AVENUE  
MENLO PARK, CALIFORNIA 94025

SERIAL NUMBER: 08852495

PATENT NUMBER:

FILING DATE: 05/07/1997

ISSUE DATE:

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

98 JAN 26 AM 8:50  
RECEIVED  
TOWNSEND & TOWNSEND  
& CREW



FORM PTO-1595  
(Rev. 6-93)



COVER SHEET  
ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

100581245

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

David A. Ruddy  
Roger K. Wolff

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Mercator Genetics, Inc.

Internal Address:

Street Address: 4040 Campbell Avenue

City: Menlo Park State: CA ZIP: 94025

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other:

Execution Date: 11/11/97, 11/7/97

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 08/852,495

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Renee A. Fitts  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(650) 326-2400

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00

☐ Enclosed ☒ Charge Fees to Deposit Account

☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

8. Deposit account number: 20-1430

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Renee A. Fitts

Name of Person Signing

Signature

Date

Atty. Reg. No. 35,136

Total number of pages including cover sheet, attachments, and documents: 2

10. Change Correspondence Address to that of Part 5? ☒ Yes ☐ No

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

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Washington, D.C. 20231

12/02/1997 11:11:11 00000000 100:201430 40.00 0852495 01 FC:551

Attorney Docket No. 17957-000110

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, David A. Ruddy of 885 Greenwich Street, San Francisco, CA 94133, and Roger K. Wolff of 41 Eugene Street, Mill Valley, CA 94941, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: Polymorphisms in the Human Hemochromatosis Gene

Filing date: May 7, 1997 Application No.: 08/852,495; and

WHEREAS, Mercator Genetics, Inc. a California corporation, located at 4040 Campbell Avenue, Menlo Park, CA 94025, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 11/11/97

  
David A. Ruddy

Date: 11/7/97

  
Roger K. Wolff

ASSIGN.MRG 9/96

H:\HOMERAP\WORK\17957\110\ASSIGN.